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JAPAN

In re application of :
Mitsuhiro Aida :
Application No. 08/813,247 :
Filed: March 7, 1997 :
For: HANDWRITING TEXT IMPUT SYSTEM :

DECISION GRANTING
PETITION

This is a decision in response to the petition filed May 27, 1997, requesting that the above-identified application be treated as a proper continuation application under 37 CFR 1.62 and accorded a filing date of March 7, 1997.

On May 7, 1997, Application Processing Division mailed a Notice of Improper FWC Filing stating that the application deposited March 7, 1997, was not in compliance with 37 CFR 1.62 since the prior application was abandoned, or proceedings terminated on March 2, 1997.

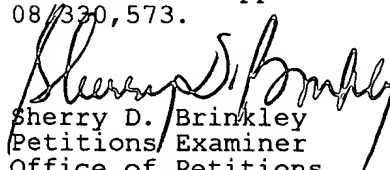
In response, on May 27, 1997, the present petition. It is noted that the petition does not address the copendency issue but rather requests that application be accorded a filing date in view of an accompanying amendment. However, upon review of the record of prior Application No. 08/330,573, it is noted that the prior application would not have become abandoned until after midnight, April 5, 1997, in view of a petition for extension of time filed February 3, 1997. Therefore, copendency did exist between Application Nos. 08/330,573 and 08/813,247 on March 7, 1997, the date of deposit of Application No. 08/813,247.

The petition requesting a filing date under 37 CFR 1.62 is granted. The notice mailed May 7, 1997, is hereby vacated.

The preliminary amendments filed September 3, 1997, and March 16, 1998, will be entered in due course.

The application is being forwarded to the Office of Finance for scheduling a refund of the \$130.00 petition fee.

Thereafter, the application will be returned to Application Processing Division for further processing with a filing date of March 7, 1997, as a continuation application under 37 CFR 1.62 of prior Application No. 08/330,573.


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